ORDER RECEIVED JOR FILING

PETITION FOR ADMIN. VARIANCE IN RE:

NE/S Greenbank Road, 200' NW of the

c/l of Eastern Avenue Extended

(7020 Greenbank Road) 15th Election District

5th Councilmanic District

Case No. 95-310-A

OF BALTIMORE COUNTY

DEPUTY ZONING COMMISSIONER

Charles T. Brickell, et ux

Petitioners

BEFORE THE

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 7020 Greenbank Road, located in the Harewood section of southeastern Baltimore County in the community of Twin River Beach. The Petition was filed by the owners of the property, Charles T. and Sharon L. Brickell. The Petitioners seek relief from Section 1802.3.C.1 to permit an existing dwelling with side setbacks of 6 feet and 7 feet in lieu of the minimum required 10 feet for each, and a lot width of 50 feet in lieu of the required 55 feet. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this \_\_\_\_\_\_ day of April, 1995 that the Petition for Administrative Variance seeking relief from Section 1B02.3.C.1 to permit an existing dwelling (over 40 years of age) with side setbacks of 6 feet and 7 feet in lieu of the minimum required 10 feet for each, and a lot width of 50 feet in lieu of the required 55 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

1) The Petitioners are hereby made aware that a thirty day appeal period runs from the date of this Order. In the event an appeal is filed, and for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

SATE A STATE OF FILING SATE OF FILING SATE OF SATE OF

#### Baltimore County Government Zoning Commissioner Office of Planning and Zoning



Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

April 5, 1995

Mr. & Mrs. Charles Brickell 7020 Greenbank Road Baltimore, Maryland 21220

RE: PETITION FOR ADMINISTRATIVE VARIANCE

NE/S Greenbank Road, 200' NW of the c/l of Eastern Avenue Extended

(7020 Greenbank Road)

15th Election District - 5th Councilmanic District

Charles T. Brickell, et ux - Petitioners

Case No. 95-310-A

Dear Mr. & Mrs. Brickell:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

cc: People's Counsel

File

Transfer to the second



## **Petition for Administrative Variance**

95-310-A

### to the Zoning Commissioner of Baltimore County

for the property located at #7020 GREENBANK ROAD

which is presently zoned

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.C.1

To allow an existing dwelling (40+ years old) with side setbacks of 6 ft. & 7 ft. and a lot width of 50 ft. in lieu of the required 10 ft. each & 55 ft. respectively.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

SIDE YARDS NOT TO MINIMUM S'TAS, LOT WIDTH 50 FT, INSTEAD OF 55 FT, MIND, CONSISTS OF RECORDED LOTS # 117 & # 118
PERMANENT MORTGAGE REQUIRES VARIANCES

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filling of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

			I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:			Legal Owner(s):
			CHAPLES T. BRICKELL
(Type or Print Name)			(Type or Print Name)
			Charles V Brickell
Signature			Signature
•			SHARON L. BRICKELL
Address			(Type or Print Name)  Lan L Brackell
City	State	Zipcode	Signature 33.5-32.
Attorney for Petitioner			#7020 GREENBANK RD.
(Type or Print Name)			Address Phone No.
•			BALTO, MD. 21220
Signature			City State Zipcode Name, Address and phone number of representative to be contacted.
			PATRICK O'KEEFE
Address	Phone No		573 PENNY LA. 666-5366
City	State	Zipcode	Address HUNT VALEUMO 21030 Phone No.
			HUNI VILLE JULY CO

ESTIMATED POSTING DATE: 3-19-93

circulation throughout Baltimore County, and that the property be reposted



Printed with Soybean Ink on Recycled Paper

Zoning Commissioner of Baltimore County

## Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto. That the Affiant(s) does/do presently reside at #7020 GREENBANK ROAD BALTO, M.D. That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty) PERMANENT That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information. SHALON. STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: AND CHARLES T. BRICKELL the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief. AS WITNESS my hand and Notarial Seal.

My Commission Expires:

My Comm. Exps. March 1, 1998

95-310-A

#### ZONING DESCRIPTION FOR 7020 Greenbank Road

Beginning at a point on the north side of Greenbank Road
which is 10 feet wide at the distance of 200,0 feet north west
of the centerline of Eastern Avenue extended which is
40 feet wide. Being Lots# 11.7 AND 118 in the
subdivision of Twin River Beach as recorded in Baltimore
County Plat Book # 7, Folio # 51, containing 14,750 sq. ft.
or 0.34 acres. Also known as 7020 Greenbank Road and
located in the 15 Election District, 5 Councilmanic District.

# CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY 95-310-4 Tower, Maryland

Posted for: Variance	Date of Posting 3/19/95
Posted for: Variance	
Petitioner; charles & Sharon Bride	Te.//
Petitioner: charles & Sharon Brich Location of property: 7000 Green banks	ed, NE/s
Location of Signe: Journy Tood way on	proporty being 20md
Remarks:	
	Date of return: 3/24/95
Signature	
Month of Diffus.	



Cashier Validation

Bullimore Courts Zoning Administration & 213 West Chesapeake Avenue Tou son, Maryland 21204

for the second 95-310\_A

Total - \$85 9

15: 1.

Account: R-001-6150

Them Number : 10 Taken in by : Fift

超点经验的现在分词形式

#010 - Varionce (noun) Piling Pre - 50 "

MOROFILMED

Please Make Checks Payable To: Baltimore County  $\frac{(-3.54\pm 0.000)(-0.000)}{(-0.000)}$ 

site! 17020 Green bank Rd.

iowner: Chas T. Brickell

Date 3 -10 95

# 80; \_\_\_\_ Sign & posting

Development Management

#### Baltimore County Government-Office of Zoning Administration and Development Management



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

March 17, 1995

#### NOTICE OF CASE NUMBER ASSIGNMENT

Re:

CASE NUMBER: 95-310-A (Item 310)

7020 Greenbank Road

NE/S Greenbank Road, 200' NW of c/l Eastern Avenue Extended

15th Election District - 5th Councilmanic

Legal Owner(s): Charles T. Brickell and Sharon L. Brickell

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before March 19, 1995. The closing date (April 3, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether dua to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon Director

cc: Patrick O'Keefe

Charles and Sharon Brickell

#### Baltimore County Government Office of Zoning Administration and Development Management



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

March 27, 1995

Mr. & Mrs. Charles T. Brickell 7020 Greenbank Road Baltimore, Maryland 21220

RE: Item No.: 310

Case No.: 95-310-A

Petitioner: Charles Brickell, et ux

Dear Mr. and Mrs. Brickell:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on March 10, 1995.

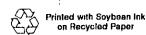
Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

W. Carl Richards, Jr. Zoning Supervisor

W. Con Rebond De

WCR/jw
Attachment(s)



#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Zoning Administration & Development Management

FROM: Pat Keller, Director

Office of Planning and Zoning

DATE: March 21, 1995

SUBJECT: 7020 Greenbank Road

INFORMATION:

Item Number:

310

Petitioner:

Brickell Property\_\_\_\_

Property Size:

14,750 sq. ft. \_\_\_\_

Zoning:

D.R.-5.5

Requested Action:

Variance

Hearing Date:

#### SUMMARY OF RECOMMENDATIONS:

The applicant requests a Variance to permit an existing dwelling with side setbacks of 6' and 7' in lieu of 10', and a lot width of 50' in lieu of the required 55'.

While staff does not oppose the applicant's request, it is clear that the petitioner will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject Variance.

effrey W. Zong Mus L. Class

Prepared by:

Division Chief:

PK/JL

3760537373

#### BALTIMORE COUNTY, MARYLAND

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

#### INTER-OFFICE CORRESPONDENCE

TO:

Mr. Arnold Jablon, Director

March 20, 1995

Zoning Administration and

Development Management

FROM:

J. Lawrence Pilson

Development Coordinator, DEPRM

SUBJECT:

Zoning Item #310 - Brickell Property

7020 Greenbank Road

Zoning Advisory Committee Meeting of March 20, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

#### Environmental Impact Review

This variance request does not involve development and is, therefore, not subject to Chesapeake Bay Critical Area requirements.

JLP:PF:sp

BRICKELL/DEPRM/TXTSBP

and the second

#### Baltimore County Government Fire Department



700 East Joppa Road Suite 901 Towson, MD 21286-5500

(410) 887-4500

DATE: 03/22/95

Arnold Jablon Director Zoning Administration and Development Management Balltimore County Office Building Towson, MD 21204 MATL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF MAR. 20, 1995.

Item No.: SEE BELOW

Zoning Agenda:

#### Gentlemon:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 304, 305, 306, 307, \$10/1 311, 312 AND 313. 4



REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED





O. James Lighthizer Secretary Hal Kassoff Administrator

Ms. Joyce Watson Zoning Administration and **Development Management** County Office Building Room 109 111 W. Chesapeake Avenue Towson, Maryland 21204

Re:

3-22-95

Baltimore County
Item No.: 4310 (775)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours, ob Small

Ronald Burns, Chief
Engineering Access Permits

BS/

MERCHANIC WAR IN

My telephone number is \_

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free

## APPLICATION FOR BUILDING PERMIT

DIST: 15 PREC: 05 PERMIT #: B271726 CONTROL #: NR

7020 GREENBANK RD LOCATION:

SUBDIVISION: TWIN RIVER BEACH TAX ASSESSMENT #: 1518475670PT

OWNERS INFORMATION

NAME: FITCH, TIM & LISA

ADDR: 7020 GREENBANK RD 21220

APPLICANT INFORMATION

TIM FITCH NAME:

COMPANY:

ADDR1: 13203 EASTERN AVE ADDR2: BALTO MD 21220

PHONE #: 335-7970 LICENSE 4:

NOTES JB/SMD

TRACT: BLOCK:

PLANS: CONST 01 PLOT 7 R PLAT 0 DATA 0 ELEC YES PLUM YES

TENANT:

CONTR: KEHL CONST.

ENGNR:

BRICKELL, CHARLES & SHARON SELLR:

CONST. SFD W/INTEGRAL GARAGE, OPEN DECK, PELLET WORK:

STOVE(NO OUTSIDE PROJ.). 3 BEDROOMS. VARIANCE

<u>CASE#95-</u>310-A) ELEV:19', ZONE

30'X48'X35.5"=8363SF,

LOT SIZE 50'X296', LOT 116,117,118

PROPOSED USE: SFD

EXISTING USE: SFD TO BE RAZED SEE B238922

BLDG. CODE: BOCA CODE

RESIDENTIAL CATEGORY: DETACHED OWNERSHIP: PRIVATELY OWNED

ESTIMATED COST OF MATERIAL AND LABOR: 80,000.00

TYPE OF IMPRY: NEW BUILDING CONSTRUCTION

USE: ONE FAMILY

BASEMENT: NONE FOUNDATION: SLAB

WATER: PUBLIC EXIST FUEL: OIL SEWAGE: PUBLIC EXIST

CONSTRUCTION: WOOD FRAME

CENTRAL AIR:

SINGLE FAMILY UNITS

TOTAL 1 FAMILY BEDROOMS 3

MULTI FAMILY UNITS

EFFICIENCY (NO SEPARATE BEDROOMS): NO. OF 1 BEDROOM:

NO. OF 2 BEDROOMS: NO. OF 3 BEDROOMS OR MORE: TOTAL NO. OF BEDROOMS: TOTAL NO. OF APARTMENTS:

Carl Richards
Supervisor Zoning

PAGE 1 OF 2

PERMIT #: B271726 DIMENSIONS - INSTALL FIXTURES LOT SIZE AND SETBACKS BUILDING SIZE GARBAGE DISF: Y FLOOR: 3863 SIZE: 2950SF PT FRONT STREET: 30' FOWDER ROOMS: 0 WIDTH: 501 BATHROOMS: :"% DEFTH: SIDE STREET: 131' KITCHENS: 1 HEIGHT: 35.5 FRONT SETB: STORIES: SIDE SETE: 101/101 SIDE STR SETB: LOT NOS: 117-120 CORNER LOT: N REAR SETB: 111' ZONING INFORMATION **ASSESSMENTS** BLOCK: LAND: 0094870.00 DISTRICT: SECTION: IMPROVEMENTS: 0027330.00 PETITION: DATE: LIBER: TOTAL ASS.: 000 MAP: FOLIO: 033 CLASS: 34 PLANNING INFORMATION MASTER PLAN AREA: SUBSEWERSHED: CRITICAL AREA: DATE APPLIED: 05/28/96 INSPECTOR INITIALS: 15R FEE: \$190,00 FAID: \$190.00 RECEIPT \$: A302019 PAID BY: APP CI HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE. AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS) COMPANY/OR OWNER

**ADDRESS** 

AGENT \_\_\_OWNER \_\_

SIGNATURE OF APPLICANT

PHONE

MESSOFILMED

6/13/96

Re: S&I Corror TEM Fitch

335-7970

351-8796.

DATE 06-05-96

Timothy M. and Lisa M. Fitch From:

To: Mr. Aronld Jablon, Dir, P.D.M.

Dear Sir,

96-3268 CP.

It has come to my attention that my variance site plan has been submitted incorrectly for my approved variance that was held on April 05, 1995. Case number 95-310-A. My wife and I have been victims of a mis-leading, mis-guided builder, whov'e we since fired for abundant reasons. We had all the intentions of building a new home from the start. Why the former builder didn't show the new single family dwelling on the site plan that he submitted for our variance, I don't know. We recently signed a contract with a new builder, Ed Kehl, of Kehl Construction Co. 154 Carroll Island RD Balto. MD 21220, phone #(410) 335-1802. I've applied for my building permit on 05-31-96. Permit number B271726, location 7020 Greenbank RD. Balt. MD. 21220. On 06-05, I inquired about how the permit was coming. I was told that my permit had been endorsed by every department incirculation, except zoning. I then decided to pay a zoning a visit. It was at that point in time, I discovered that the location for the new house, was not placed on the site plan in conjunction with the variance I went through. I was under the impression that my variance was needed to build a new house on a 50' lot in lieu of the required 55' law. site plans that I submitted with my house plans to get the permit, clearly shows that I confirm with all of the required setbacks and it also entails side setbacks to beat 10' instead of the 6' and 7' shown on the variance that I was granted, I have my raising permit issued for the existing house to come down permit # B28922 With the new house going on the location shown, I would also be in better alignment with the adjoining neighbors homes. Right now, it's imperative that this matter be cleared-up A.S.A.P., because I'm in danger of losing my finances in building the house. I have everyone lined-up and scheduled to start construction. I have consulted with Mr. Carl Richards in the zoning department. He suggested that I write you this letter of "spirit and intent" to your'e attention. Please help us in approving the new site plan so we can receive our permit, without delay.

> Thank You, sincerely

> > Tim & Lisa Fitch 13203 Sylvan Ave. Balto. M.D. 21220 (410) 335-7970

TIM KOTROKO DEP. Zow. Com.
"LESS IMPACT THAN PREVIOUS.
APPROVAC-S IDE PLANDS NOW WILN REGS."

6-18-96.

MICROFILMED

6-10-96

From: Tim and Lisa Fitch

To: Mr. John Alexander

Dear Mr. Alexander:

The following is a statement from our adjacent neighbor. Mr. & Mrs. Robert Foehrkolb whom resides at 7018 Greenbank Rd.

To whom it may concern, I have been aware of the proposed construction next to my property on Greenbank Rd. An upgrade to this property is a welcome relief! The previous owners have neglected the property for many years. I'm sure the Fitch's new home will improve the land and the community.

SIGNED

MICROFILMEL

6-10-96

From: Tim and Lisa Fitch

To: Mr. John Alexander

Dear Mr. Alexander:

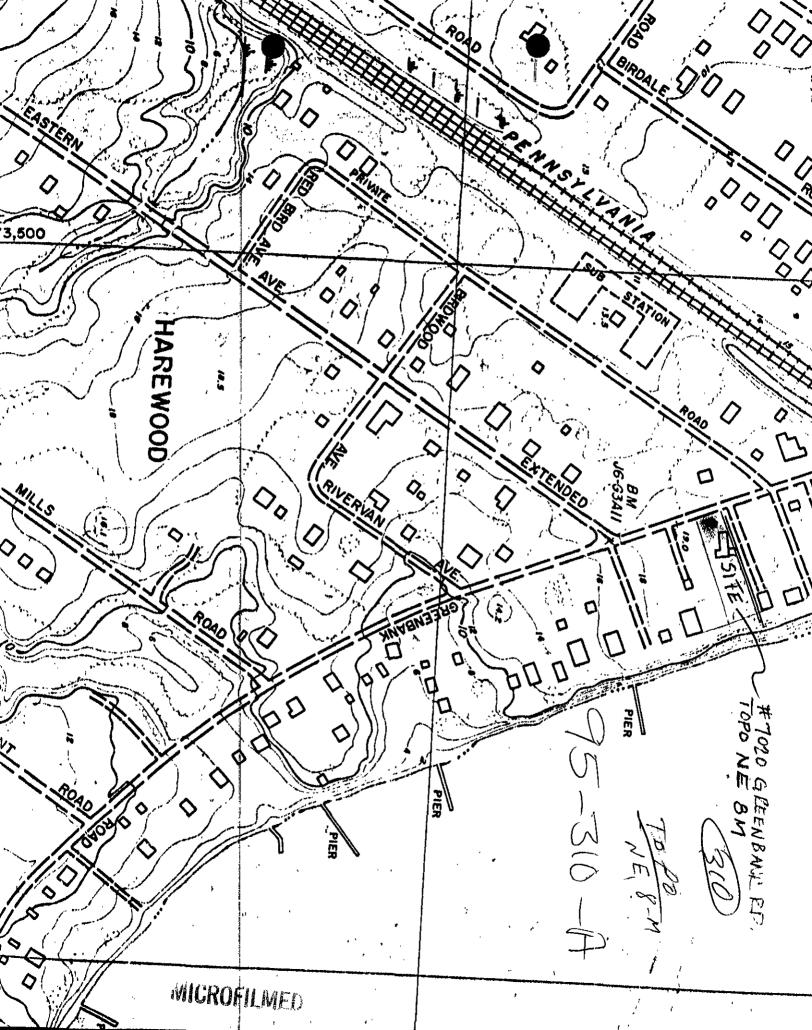
The following is a statement from our adjacent neighbor. Mr. & Mrs. Charles Brickell whom resides at 7022 Greenbank Rd.

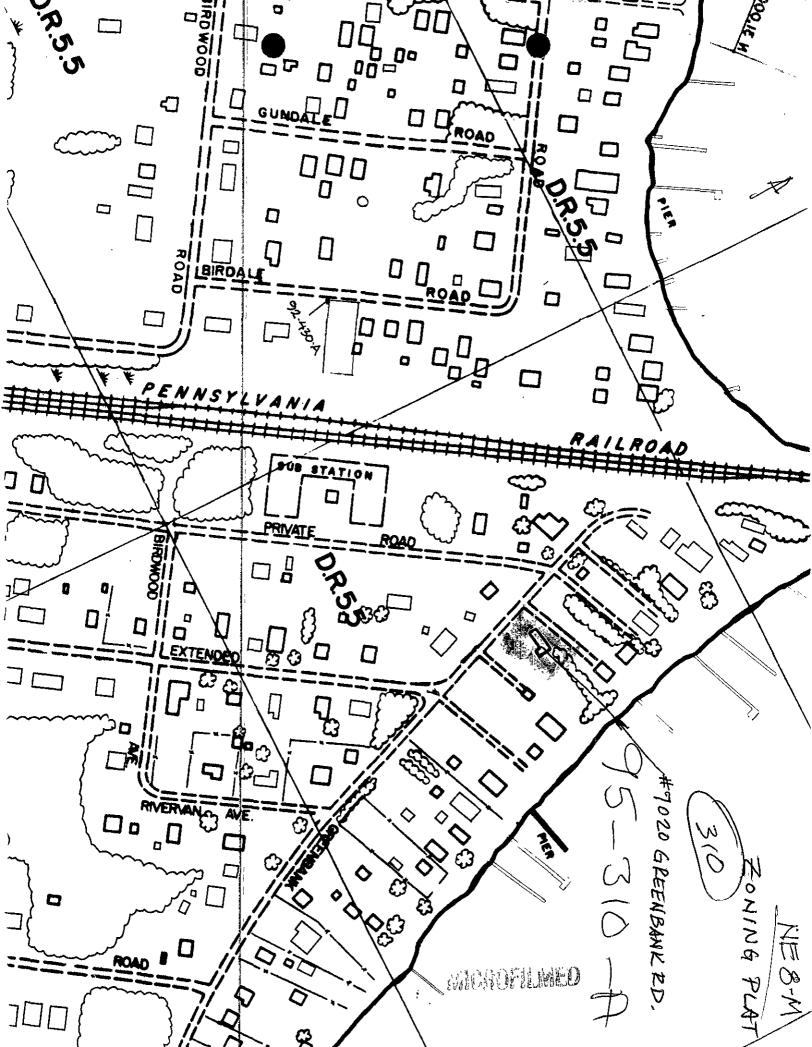
To whom it may concern, I have been aware of the proposed construction next to my property on Greenbank Rd. An upgrade to this property is a welcome relief! The previous owners have neglected the property for many years. I'm sure the Fitch's new home will improve the land and the community.

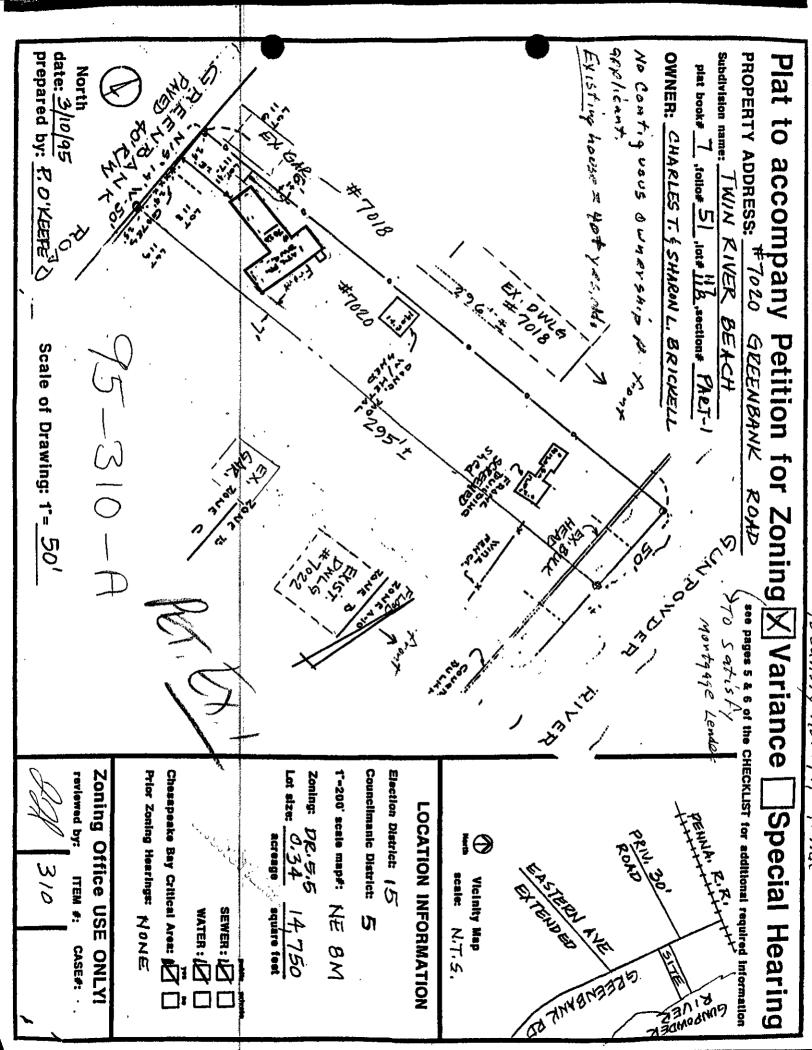
SIGNED

CHARLES BRICKELL

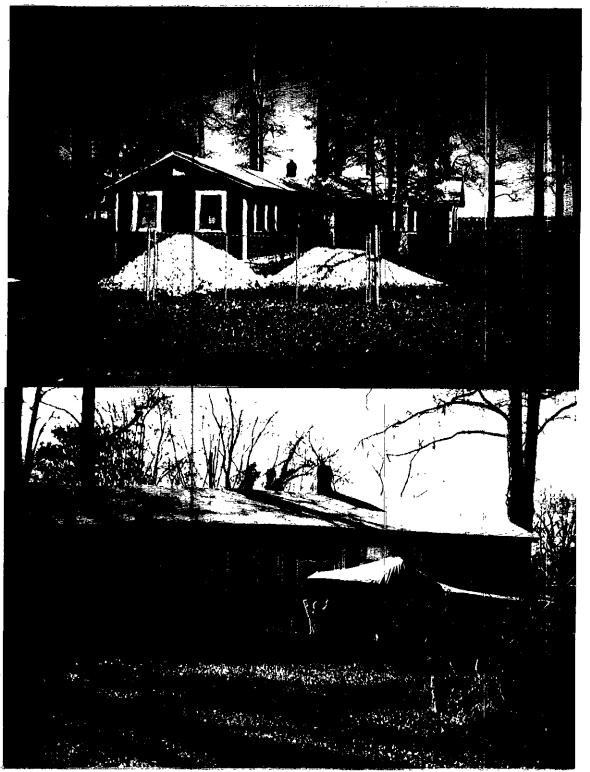
SHARON BRICKELL







## 95-310-A

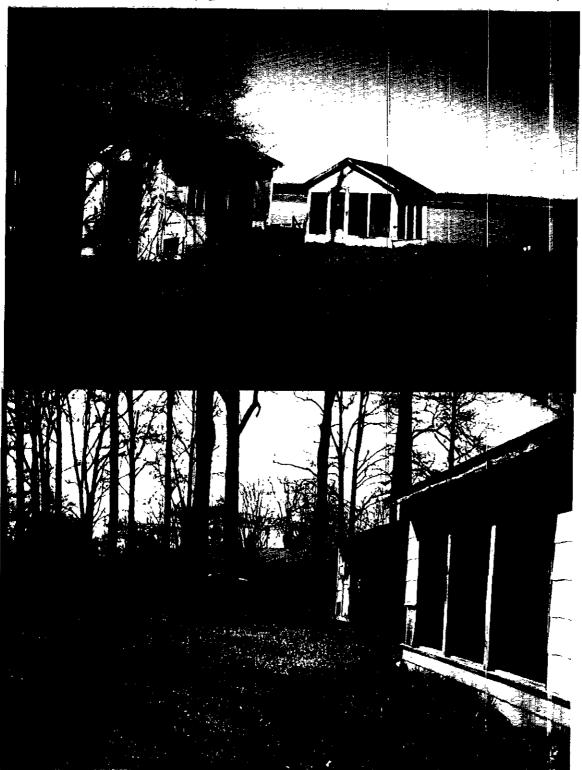


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95-310-A

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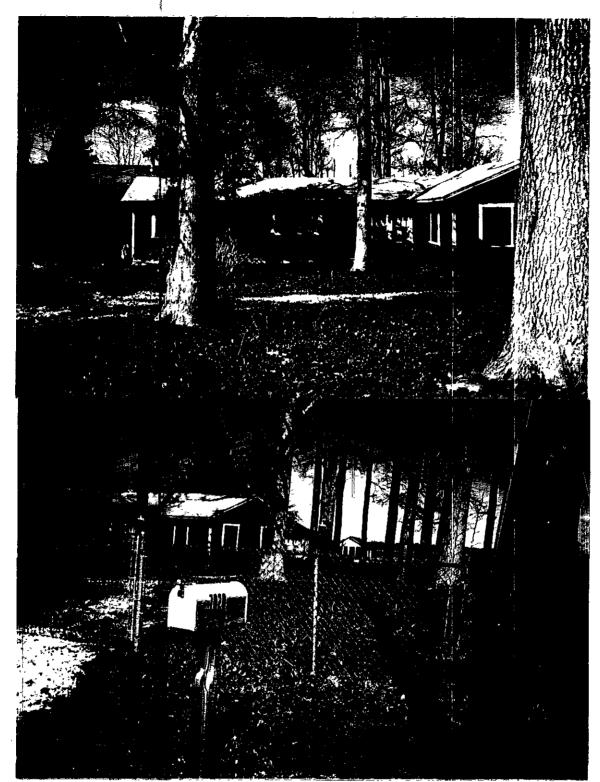
1 5 7 5



310 rear garage 7018



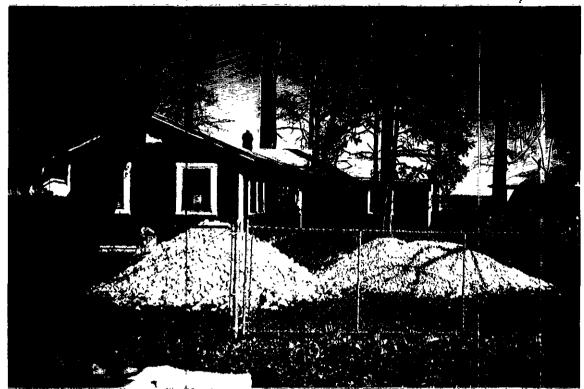
310 pt. 81 house 81 7018



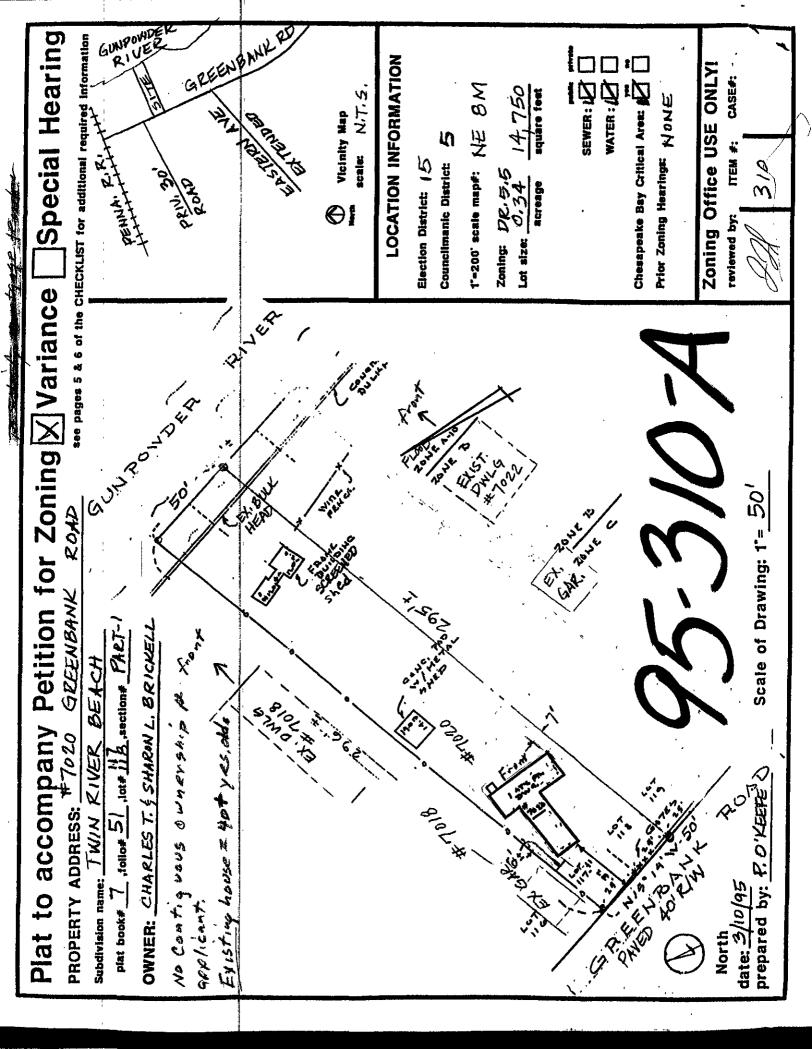
310 near 7018

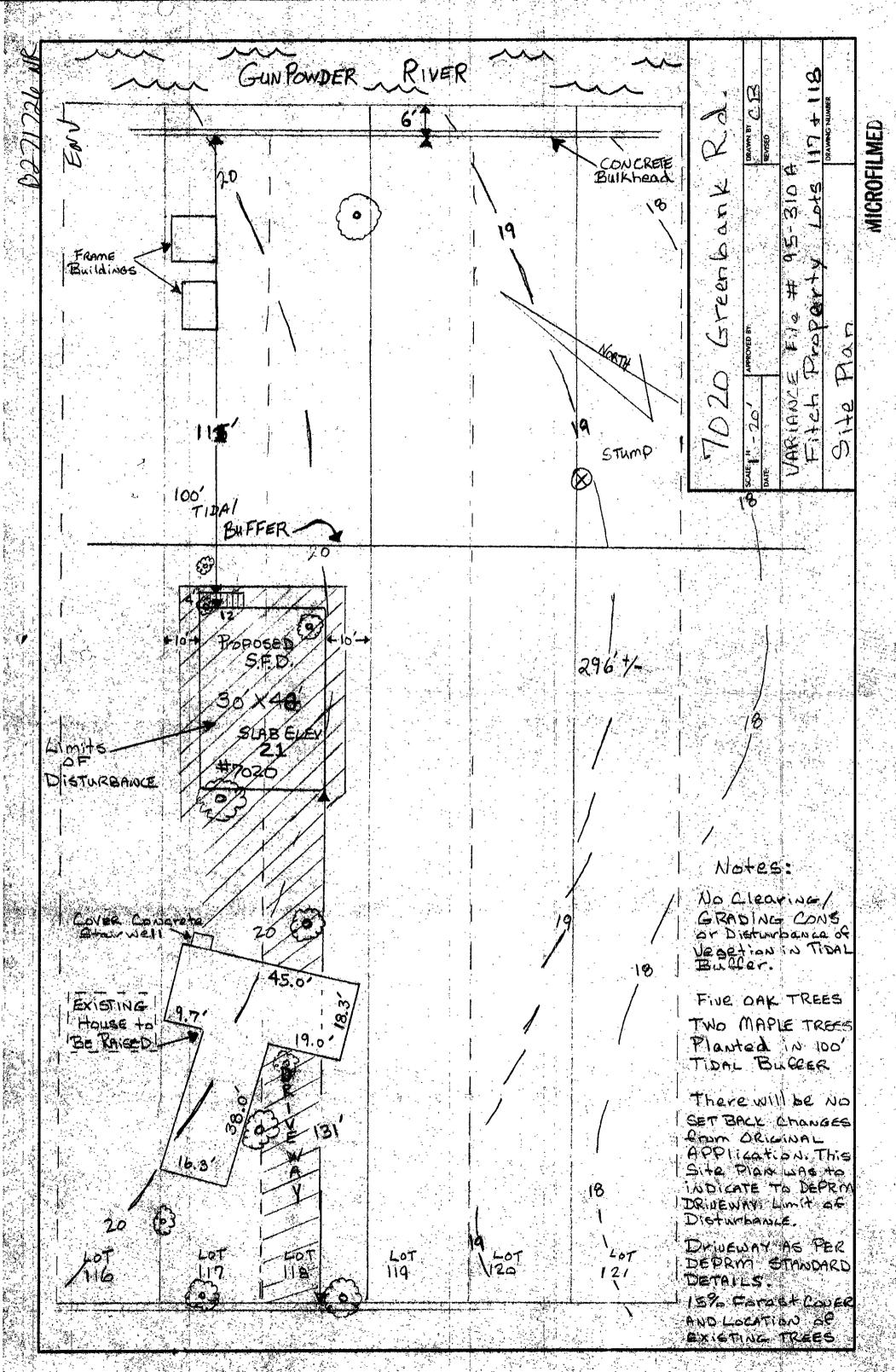
310-7020

95-310-A



310 House-7022





IN RE: PETITION FOR ADMIN. VARIANCE NE/S Greenbank Road, 200' NW of the c/l of Eastern Avenue Extended \* DEPUTY ZONING COMMISSIONER (7020 Greenbank Road) \* OF BALTIMORE COUNTY 15th Election District 5th Councilmanic District \* Case No. 95-310-A Charles T. Brickell, et ux

Petitioners

documentation presented.

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

\* \* \* \* \* \* \* \* \*

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 7020 Greenbank Road, located in the Harewood section of southeastern Baltimore County in the community of Twin River Beach. The Petition was filed by the owners of the property, Charles T. and Sharon L. Brickell. The Petitioners seek relief from Section 1802.3.C.1 to permit an existing dwelling with side setbacks of 6 feet and 7 feet in lieu of the minimum required 10 feet for each, and a lot width of 50 feet in lieu of the required 55 feet. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1. The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no re-

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affida-

quests for public hearing, a decision shall be rendered based upon the

vits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 5th day of April, 1995 that the Petition for Administrative Variance seeking relief from Section 1B02.3.C.1 to permit an existing dwelling (over 40 years of age) with side setbacks of 6 feet and 7 feet in lieu of the minimum required 10 feet for each, and a lot width of 50 feet in lieu of the required 55 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

> 1) The Petitioners are hereby made aware that a thirty day appeal period runs from the date of this Order. In the event an appeal is filed, and for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

> > - 2-

Deputy Zoning Commissioner for Baltimore County

TMK:bjs

ZONING DESCRIPTION FOR 7020 Greenbank Road

Beginning at a point on the north side of Greenbank Road which is 10 feet wide at the distance of 200,0 feet north west of the centerline of Eastern Avenue extended which is 40 feet wide. Being Lots# 117 AND 118 in the subdivision of Twin River Beach as recorded in Baltimore County Plat Book # 7, Folio # 51, containing 14,750 sq. ft. or 0.34 acres. Also known as 7020 Greenbank Road and located in the 15 Election District, 5 Councilmanic District.

ZONING DEPARTMENT OF BALTIMORE COUNTY 95-310-A Petitioner charles & Sheron Bridge 11 Location of property: 7070 Grean bay It Rd. NELS

CERTIFICATE OF POSTING

Location of Signer Toury rosd way on properly being 2071.d

**receipt** 

3 10 95 Taken in by : 2A Owner: Chas T. Brickell

site! 7020 Greenbank Rd.

+010 - Variance (ADMN) filing fee - 50 880 \_\_\_\_ Sign & posting \_\_\_\_

**Baltimore County Government** Zoning Commissioner Office of Planning and Zoning

Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

April 5, 1995

Mr. & Mrs. Charles Brickell 7020 Greenbank Road Baltimore, Maryland 21220

RE: PETITION FOR ADMINISTRATIVE VARIANCE NE/S Greenbank Road, 200' NW of the c/l of Eastern Avenue Extended (7020 Greenbank Road) 15th Election District - 5th Councilmanic District Charles T. Brickell, et ux - Petitioners Case No. 95-310-A

Dear Mr. & Mrs. Brickell:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at

> Very truly yours, Deputy Zoning Commissioner for Baltimore County

cc: People's Counsel File

TMK:bjs

Attorney for Petitioner (Type or Print Name

respectively.

#7020 GREENBANK RD

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at #7020 GREENBANK ROAD

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached

To allow an existing dwelling (40+ years old) with side setbacks of 6 ft. & 7 ft. and a lot width of 50 ft. in lieu of the required 10 ft. each & 55 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

This Petition shall be filed with the Office of Zoning Administration & Development Management.

SIDE YARDS NOT TO MINIMUM STAS.

Property is to be posted and advertised as prescribed by Zoning Regulations.

LOT WIDTH SOFT, INSTEAD OF 55FT, MIN.

CONSISTS OF RECORDED LUTS # 117 9 # 118
PERMANENT MORTGAGE REQUIRES VARIANCES

hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.C.1

95-310-A

which is presently zoned DL 5.5

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the

CHARLES T. BRICKELL

SHARON L. BRICKELL

PATRICK O'KEEFE HUNT VALLEYAM 21030 

REVIEWED BY: DATE: 3 -123 45 Printed with Sayboan Ink on Recycled Paper

Joning Commissioner of Baltimute County

Baltimore County Government Office of Zoning Administration and Development Management

(410) 887-3353

111 West Chesapeake Avenue

Towson, MD 21204

NOTICE OF CASE NUMBER ASSIGNMENT

ME/S Greenbank Road, 200' HW of c/l Eastern Avenue Extended 15th Election District - 5th Councilmanic Legal Owner(s): Charles T. Brickell and Sharon L. Brickell

WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER

Affidavit in support of Administrative Variance The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto. That the Affiant(s) does/do presently reside at # 7020 GREENBANK ROAD BALTO, MD 21220 That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty) PERMANENT MORTGAGE REQUIRES VARIANCES (SEE OTHER SIDE) Haven J Brichell (1971)

SHARON L. BRICKELL (1971)

Type or print name:

Charles T. Brickell

(alguature)

CHARLES T. BRICKELL

(Appel or print name) STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

1 HEREBY CERTIFY, this 9th day of MARCH, 1945, before me, a Notary Public of the State SHARON L. AND CHARLES T. BRICKELL the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief. MARCH 9, 1995

95-310-A

Mr. & Mrs. Charles T. Brickell 7020 Greenbank Road Baltimore, Maryland 21220

> RE: Item No.: 310 Case No.: 95-310-A Petitioner: Charles Brickell, et ux

Dear Mr. and Mrs. Brickell:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on March 10, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Baltimore County Government Fire Department

W. Carl Richards, Jr. Zoning Supervisor

WCR/jw Attachment(s)

on Recycled Paper

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Zoning Administration & Development Management

FROM: Pat Keller, Director Office of Planning and Zoning

SUBJECT: 7020 Greenbank Road

DATE: March 21, 1995

INFORMATION

Item Number

Brickell Property Petitioner: 14,750 sq. ft. Property Size:

D.R.-5.5

SUMMARY OF RECOMMENDATIONS:

The applicant requests a Variance to permit an existing dwelling with side setbacks of 6' and 7' in lieu of 10', and a lot width of 50' in lieu of the required

While staff does not oppose the applicant's request, it is clear that the petitioner will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject Vari-

Marviand Department of Transportation

State Highway Administration

This office has reviewed the referenced item and we have no objection to

approval as it does not access a State roadway and is not effected by any State Highway

ess: 707 North Calvert Street • Baltimore, Maryland 21202

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Ms. Joyce Watson

Room 109

Zoning Administration and

Development Management

111 W. Chesapeake Avenue

Towson, Maryland 21204

Dear Ms. Watson:

County Office Building

ITEM310/PZONE/TXTJWL

O. James Lighthizer

Hal Kassoff

Administrator

3-22-95

Re: Baltimore County
Item No.: 4310 (TTS)

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

March 20, 1995

Mr. Arnold Jablon, Director Zoning Administration and Development Management

> J. Lawrence Pilson Development Coordinator, DEPRM

SUBJECT: Zoning Item #310 - Brickell Property 7020 Greenbank Road Zoning Advisory Committee Meeting of March 20, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Environmental Impact Review

This variance request does not involve development and is, therefore, not subject to Chesapeake Bay Critical Area requirements.

JLP:PF:sp

BRICKELL/DEPRM/TXTSBP

DATE 06-05-96

From: Timothy M. and Lisa M. Fitch

To: Mr. Aronld Jablon, Dir, P.D.M.

Dear Sir,

It has come to my attention that my variance site plan has been submitted incorrectly for my approved variance that was held on April 05, 1995. Case number 95-310-A. My wife and I have been victims of a mis-leading, mis-guided builder, whov'e we since fired for abundant reasons. We had all the intentions of building a new home from the start. Why the former builder didn't show the new single family dwelling on the site plan that he submitted for our variance, I don't know. We recently signed a contract with a new builder, Ed Kehl, of Kehl Construction Co. 154 Carroll Island RD Balto. MD 21220, phone #(410) 335-1802. I've applied for my building permit on 05-31-96. Permit number B271726, location 7020 Greenbank RD. Balt. MD. 21220. On 06-05, I inquired about how the permit was coming. I was told that my permit had been endorsed by every department incirculation, except zoning. I then decided to pay a zoning a visit. It was at that point in time, I discovered that the location for the new house, was not placed on the site plan in conjunction with the variance I went through. I was under the impression that my variance was needed to build a new house on a 50' lot in lieu of the required 55' law. My site plans that I submitted with my house plans to get the permit, clearly shows that I confirm with all of the required setbacks and it also entails side setbacks to beat 10' instead of the 6' and 7' shown on the variance that I was granted, I have my raising permit issued for the existing house to come down permit # B238922. With the new house going on the location shown, I would also be in better alignment with the adjoining neighbors homes. Right now, it's imperative that this matter

be cleared-up A.S.A.P., because I'm in danger of losing my finances in building the house. I have everyone lined-up and scheduled to start construction. I have consulted with Mr. carl Richards in the zoning department. He suggested that I write you this letter of "spirit and intent" to your'e attention.
Please help us in approving the new site plan so we can receive
our permit, without delay.

Thank You, sincerely Tim & Lisa Fitch 13203 Sylvan Ave. Balto. M.D. 21220 Fun Pen: (410) 335-7970

TIM KOTROKE DEP. Zon Com.

"LESS IMPACT THAN FREDIOUS.
APPROVAL. SIDE YARDS NOW WIN REGS."

6-18.96.

96-3268

: **-** 6

CORNER LOT: N ZONING INFORMATION DISTRICT: PETITION SECTION: DATE: LIBER: 000

DIMENSIONS - INSTALL FIXTURES

FOLIO: CLASS: 34 PLANNING INFORMATION

033

APPLICATION FOR BUILDING PERMIT

LICENSE #:

PLANS: CONST 01 PLOT 7 R PLAT 0 DATA 0 ELEC YES PLUM YES

STOVE(NO OUTSIDE PROJ.). 3 BEDROOMS. VARIANCE

WORK: CONST. SFD W/INTEGRAL GARAGE, OPEN DECK, PELLET

LOT SIZE 50'X296', LOT 116,117,118

ESTIMATED COST OF MATERIAL AND LABOR: 80,000.00

CASE#95-310-A) ELEV:19', ZONE 30'X48'X35.5'=8363SF,

EXISTING USE: SFD TO BE RAZED SEE B238922

TYPE OF IMPRV: NEW BUILDING CONSTRUCTION

DIST: 15 PREC: 05

OWNERSHIP: PRIVATELY OWNED

WATER: FUBLIC EXIST

NO. OF 1 BEDROOM:

LOT SIZE AND SETBACKS

IMPROVEMENTS: 0027330.00

RECEIFT #: A302019

131'

111'

10'/10'

SIZE: 2950SF PT

FRONT STREET:

SIDE STREET:

FRONT SETB:

SIDE STR SETB:

SIDE SETB:

REAR SETB:

**ASSESSMENTS** 

TOTAL ASS.

BASEMENT: NONE

FUEL:

TOTAL NO. OF APARTMENTS:

NO. OF 3 BEDROOMS OR MORE:

Supervisor Zunino

Carl Richards

3863

30'

50'

BUILDING SIZE

HEIGHT: 35.5'

STORIES: 3

FLOOR:

WIDTH:

DEPTH:

PERMIT #: B271726 CONTROL #: NR

SUBDIVISION: TWIN RIVER BEACH

OWNERS INFORMATION

NAME: FITCH, TIM & LISA

AFFLICANT INFORMATION

ADDR1: 13203 EASTERN AVE

ADDR2: BALTO MD 21220

NAME: TIM FITCH

FHONE #: 335-7970

CONTR: KEHL CONST.

PROPOSED USE: SFD

USE: ONE FAMILY FOUNDATION: SLAB

CENTRAL AIR:

SEWAGE: PUBLIC EXIST

SINGLE FAMILY UNITS

MULTI FAMILY UNITS

NO. OF 2 BEDROOMS:

PERMIT #: B271726

GARBAGE DISP: Y

POWDER ROOMS: 0

LOT NOS: 117-120

BATHROOMS:

KITCHENS: 1

PAID BY: AFF

TOTAL NO. OF BEDROOMS:

CONSTRUCTION: WOOD FRAME

TOTAL 1 FAMILY BEDROOMS 3

EFFICIENCY (NO SEPARATE BEDROOMS):

BLDG. CODE: BOCA CODE

RESIDENTIAL CATEGORY: DETACHED

COMPANY:

NOTES

JB/SMD

TENANT

ENGNR

TAX ASSESSMENT #: 1518475670PT

ADDR: 7020 GREENBANK RD 21220

SELLR: BRICKELL, CHARLES & SHARON

LOCATION: 7020 GREENBANK RD

MASTER PLAN AREA: SUBSEWERSHED CRITICAL AREA: DATE APPLIED: 05/28/96 INSPECTOR INITIALS: 15R

(I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE. AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND AFFROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS)

\$190.00

ADDRESS AGENT \_\_ OWNER \_\_

SIGNATURE OF APPLICANT

PAGE 2 OF 2

PAGE 1 OF 2

Paceatt

335-7970

351-8796.

REVIEWER: LT. ROBERT P. SAUERWALD Fire Marshal Office, PHONE 887-4881, MS-1102F

Printed on Recycled Paper

cc: File

RE: Property Owner: SEE BELOW LOCATION: DISTRIBUTION MEETING OF MAR. 20, 1995. Zoning Agenda:

(410) 887-4500

DATE: 03/22/95

Item No.: SEE BELOW

700 East Joppa Road Suite 901

Towson, MD 21286-5500

Zoning Administration and

Baltimore County Office Building

Development Management

Gentlemen: Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to

Armold Jablon

Towson, MD 21204

MAIL STOP-1105

Director

be corrected or incorporated into the final plans for the property. 8. The Fire Marshal's Office has no comments at this time,

IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 304, 305, 306, 307, 308, \$10',\ 311, 312 AND 313. 1

6-10-96

From: Tim and Lisa Fitch To: Mr. John Alexander

Dear Mr. Alexander:

The following is a statement from our adjacent neighbor. Mr. & Mrs. Robert Foehrkolb whom resides at 7018 Greenbank Rd.

To whom it may concern, I have been aware of the proposed construction next to my property on Greenbank Rd. An upgrade to this property is a welcome relief! The previous owners have neglected the property for many years. I'm sure the Fitch's new home will improve the land and the community.

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6-10-96

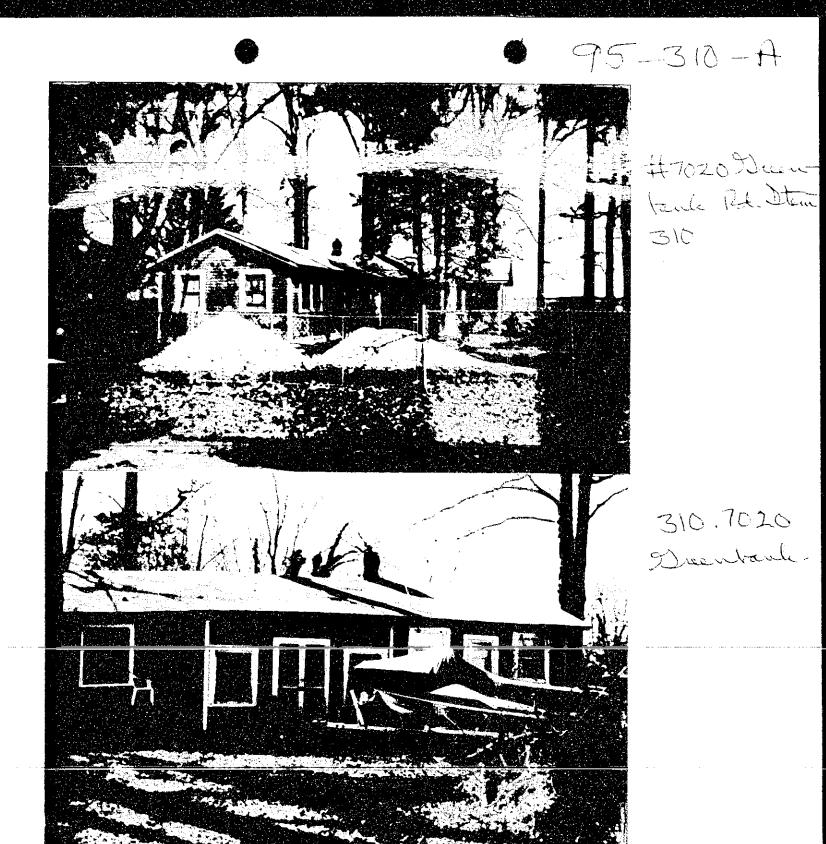
From: Tim and Lisa Fitch

To: Mr. John Alexander

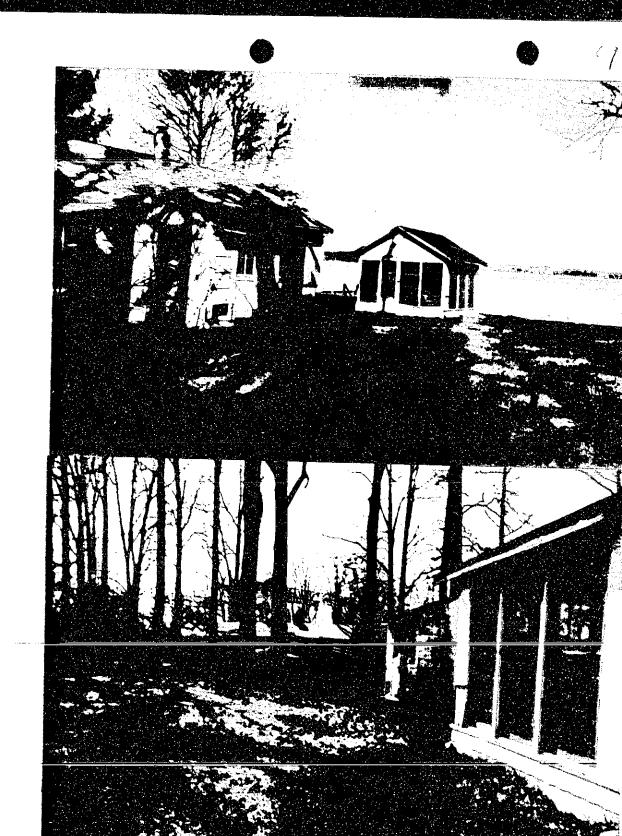
Dear Mr. Alexander:

The following is a statement from our adjacent neighbor. Mr. & Mrs. Charles Brickell whom resides at 7022 Greenbank Rd.

To whom it may concern, I have been aware of the proposed construction next to my property on Greenbank Rd. An upgrade to this property is a welcome relief! The previous owners have neglected the property for many years. I'm sure the Fitch's new home will improve the land and the community.



310.7020 Duenbank.



I shall what ( circuit house in 12 (2)





